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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

11 STEVEN AMES BROWN, No. C-08-02348 JSW (DMR)
12 Plaintiff, No. C-11-05822 JSW (DMR)
13 v. **ORDER DENYING FEBRU**
14 ANDREW B. STROUD, *et al.*, **DISCOVERY LETTER AS**
15 Defendants

**ORDER DENYING FEBRUARY 22, 2013
DISCOVERY LETTER AS MOOT**

LISA SIMONE KELLY,
17 Plaintiff,
18 v.
19 WALLY ROKER, et al.,
20 Defendant

23 On February 22, 2013, Plaintiffs Steven Ames Brown and the Estate of Nina Simone and
24 third-party The Orchard Enterprises, Inc. (“Orchard”) submitted a joint discovery letter describing
25 their dispute regarding a subpoena served on Orchard by Plaintiff Brown. [Docket No. 512.] On
26 February 28, 2013, the court ordered Orchard to submit a sworn declaration to the court regarding
27 whether it has any documents responsive to the subpoena in its possession, custody or control.
28 [Docket No. 513.] Orchard subsequently submitted a declaration dated March 7, 2013 by Alexis H.

1 Shapiro, the Senior Vice President, general counsel and secretary of Orchard Enterprises, Inc., in
2 which she states that Orchard does not have any responsive documents in its possession, custody or
3 control. [Docket No. 527.] Accordingly, Plaintiffs' request for an order compelling the production
4 of documents by Orchard is denied as moot.

5 IT IS SO ORDERED.
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7 Dated: March 15, 2013
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